

Quarterly Report
OF THE
ATTORNEY GENERAL
OF
ALABAMA



FOR THE PERIOD
FROM OCTOBER 1, 1972
THROUGH DECEMBER 31, 1972

WILLIAM J. BAXLEY, Attorney General

VOLUME 149

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QUARTERLY REPORT

of the

ATTORNEY GENERAL

of

ALABAMA

For the Period

From October 1, 1972

Through December 31, 1972

**TO THE STATE, COUNTY, AND MUNICIPAL OFFICERS OF
ALABAMA:**

This Quarterly Report of the Attorney General of Alabama, which includes all official opinions rendered by the Attorney General from October 1, 1972, through December 31, 1972, is published in compliance with the provisions of Title 55, Section 228, Code of Alabama 1940.

Under this section of the Code, I am required to send seven copies of this Quarterly Report to each judge of probate in the State, and the judge of probate, in turn, is required to deliver one copy each to the clerk of the circuit court, the sheriff, the tax collector, the tax assessor, the county superintendent of education, and the deputy district attorney of his county. This section also requires that I send a copy of this report to each district attorney and the chief executive officer of each incorporated municipality in the State.

The office of the Attorney General is anxious to render prompt and efficient service to the State, County, and municipal officials. If you have any suggestions to make regarding the improvement of the service, I shall be glad to hear from you.

Sincerely,

WILLIAM J. BAXLEY

Attorney General

WILLIAM J. BAXLEY
Attorney General
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Deputy Attorney General

E. RAY ACTON
Executive Assistant

WALTER S. TURNER
Chief Assistant Attorney
General

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OPINIONS

October 12, 1972

Honorable John R. Phillips
Phillips and Watson
Attorneys at Law
Suite 410

Commercial National Bank Building
Anniston, Alabama 36201

Justices of the Peace — Constables.

The amendment to the Constitution abolishing the office of Justice of the Peace does not abolish the office of Constable.

Opinion by Assistant Attorney General Hall.

Dear Mr. Phillips:

Reference is made to your letter of October 4, 1972, in which, as Attorney for the Sheriff of Calhoun County, you request my opinion as to whether Amendment No. 323 to the Constitution of 1901 abolishing the office of Justice of the Peace also abolished the office of Constable.

The answer is in the negative, and Section 168 of the Constitution still provides for the election of one Constable in each precinct not lying within, or partly within, any city or incorporated town of more than fifteen hundred inhabitants.

There is no provision in the law for a Constable to appoint Deputy or Special Assistant Constables. This office has so held on numerous occasions. Their actions as such are not legal.

Yours very truly,

WILLIAM J. BAXLEY
Attorney General

October 13, 1972

Hon. Jerry B. Jones
Etowah County Tax Assessor
Gadsden, Alabama 35901

Ad Valorem Taxes—Motor Vehicles

1. Under the provisions of Title 51, Section 704, as amended, Code of Alabama 1940, Recompiled 1958 and where a licensed automobile dealer brings a car, new or used, into this State from another state, which has never been subject to registration or assessment for ad valorem taxes in this State, and where he puts the car directly into his inventories for the purpose of

selling same, then such automobile would not be subject to assessment for ad valorem taxes in Alabama until it is sold by the dealer.

2. Such car would be subject to assessment for ad valorem taxes in this State by the purchaser in accordance with the quarterly scale as is provided in Section 704, as amended, *supra*, depending upon the quarter during the tax year in which it was sold to said purchaser by the dealer from his inventories.

3. The opinion of this office which is reported in Quarterly Report of the Attorney General, Volume 108, page 7, is hereby modified to conform to the ruling herein made.

Opinion by Assistant Attorney General Burton.

Dear Sir:

Your request for an official opinion bearing the date of August 31, 1972, is as follows:

"I hereby request an official opinion regarding the assessment of motor vehicles in the following situation.

"An Alabama automobile dealer brings a used car into the state of Alabama from Illinois in September. He retains it in his inventory until October 2nd, when he sells it to an Alabama resident, and furnishes him with a bill of sale and a sworn affidavit showing that the car had been registered in Illinois for the current year, and the date the car entered the state of Alabama.

"My question is:

"Would this car be taxable from the date it entered the state of Alabama; or would it be taxable from the date it was sold by the Alabama dealer to an individual?"

Your question has already been in effect answered in a letter (ms.) which was written in behalf of the Attorney General on December 15, 1971, to Mr. Lester H. Alexander of Carbon Hill, Alabama. Mr. Alexander, an automobile dealer, had inquired as to whether automobiles which had been owned and used exclusively by the Federal Government in Alabama, and which had been purchased by him as a dealer directly from the Federal Government and put immediately into his inventories for the purpose of sale, would be subject to assessment for ad valorem tax under Title 51, Section 704, as amended, Code of Alabama 1940, Recompiled 1958, when the cars were purchased by him from the Government or when he sold the cars from his inventories as such dealer.

The cars involved there were exempt from taxation while owned by the Federal Government, and had never been, because of the Government's immunity from taxation, subject to ad valorem taxes

or license taxes, in this State. It was also pointed out that while the same cars were a part of the dealer's inventories (the cars having been put directly into the dealer's inventories) for the purpose of sale, that under Title 51, Section 704(c) as amended, *supra*, they were also not subject to assessment for the ad valorem tax, so long as they remained in the dealer's inventories. Under the circumstances as enumerated, Mr. Alexander's question was answered in the following way:

"Title 51, Section 704, as amended in 1961, Code of Alabama 1940, Recompiled 1958, which is the Statute that provides for the assessment and collection of the ad valorem tax on motor vehicles, provides in material part, as follows:

"(c) Motor vehicles brought into the state during any tax year, or **new motor vehicles for which licenses have never been issued**, sold from the stock of a dealer during any tax year, shall be subject to taxation the same as if they had been held or owned in the state on the first day of October, except that taxes thereon shall be assessed on a quarterly basis as follows:

"(1) Motor vehicles brought into the state or sold from stock after the first day of October, 1961, or of any subsequent year, but before the first day of January following, shall be subject to taxation the same as if held or owned in the state on the first day of October.

"(2) Motor vehicles brought into the state or sold from stock after the last day of December, 1961, or of any subsequent year, but before the first day of April following, shall be subject to taxation for three quarters of the tax year.

"(3) Motor vehicles brought into the state or sold from stock after the last day of March, 1962, or of any subsequent year, but before the first day of July following, shall be subject to tax for one-half of the tax year.

"(4) Motor vehicles brought into the state or sold from stock after the last day of June, 1962, or of any subsequent year, but before the first day of October following, shall be subject to tax for one-fourth of the tax year . . . '

* * * * *

"The foregoing being considered, your question is answered to the effect that in the case of the automobiles which have been owned exclusively by the United States prior to your purchasing same from the Government as a licensed automobile dealer, for the purpose of selling same in your business, **that such motor vehicles can be considered to have the same status under Section 704(c), *supra*, as new motor vehicles for which licenses have never been issued**, and which become a

part of the stock and inventories of an automobile dealer. Under Section 704 such automobiles would not be subject to the ad valorem tax, and the tax would not accrue so long as such vehicles are a part of your stock and inventories as an automobile dealer, and until they are sold by you as a dealer from your stock. At which time the tax would accrue as aforesaid as against the purchaser on a quarterly basis as the Statute provides." (Emphasis supplied.)

The principles enumerated in that case would be just as applicable to your question and the facts as stated in connection therewith. If the cars involved had never been in Alabama before, and were placed in the dealer's inventories immediately upon his bringing them into this State from Illinois, then they never would have been subject to assessment for the ad valorem tax or to registration in Alabama, and would continue to have such a status while in the dealer's inventories. Under Title 51, Section 704, as amended, *supra*, then such cars would fall into the same category as "new cars," and would not be subject to assessment for ad valorem tax purposes until the dealer sells them from his sales inventories. The purchaser then would be required to assess them starting with the quarter during the tax year in which they were sold to him by the dealer.

The opinion of this office which is reported in Quarterly Report of the Attorney General, Volume 108, page 7, is hereby modified to conform to the ruling herein made.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

October 17, 1972

Honorable J. M. Breckenridge
City Attorney
City of Birmingham
600 City Hall
Birmingham, Alabama 35203

Insurance — Municipalities — Opinions Overruled,
Modified or Distinguished.

1. A municipality may purchase hospital and medical insurance covering its employees and their dependents.
2. A municipality may pay any part or all of the premium for such insurance coverage.
3. Opinions reported in Quarterly Reports of Attor-

ney General, Volume 115, page 9 and Volume 117, page 36, overruled in part.

Opinion by Assistant Attorney General Gish.

Dear Sir:

Your request for an official opinion dated September 29, 1972, is as follows:

"The Mayor of the City of Birmingham has submitted to the Council of the City for consideration a proposed budget for the City's 1972-73 fiscal year. In the recommended budget is an item whereby the City will provide hospital and medical insurance coverage for each employee, including his or her dependents, with the City paying up to \$25.00 per month of the premium and the remainder of the premium being paid by voluntary deduction from the covered employee's salary.

"The purpose of this letter is to respectfully request, on behalf of the Mayor and Council of the City of Birmingham and the Director of Finance of the City, your official opinion as to whether or not the City of Birmingham may legally expend public funds for group hospital and medical insurance for the benefit of its employees that is broad enough to cover the dependents of the covered employees as contemplated in the proposed budget.

"In this connection, I have taken the liberty of preparing and submitting herewith for your consideration a memorandum brief in support of the legality of the City of Birmingham providing the proposed group hospital and medical insurance coverage."

The statutes controlling the purchase of group insurance for employees of a municipality and certain other local governments, institutions and other agencies are now codified as Title 28, Sections 351(1) through 351(7), Code of Alabama 1940, Recompiled 1958.

Section 351(1), *supra*, provides for the purchase of group hospital and medical as well as other types of insurance "for the benefit of" the employees of a municipality. Section 351(3), *supra*, provides that the governing body of a municipality may pay all or any part of the premium for such insurance.

It is obvious that the purchase of group insurance which covers employees and their dependents, the premium for which is paid at least in part by the municipality, will be of benefit to each employee.

A municipal corporation is a mere instrumentality of the State and its powers are derived from and must be conferred by the legislature. **Town of Graysville v. Johnson**, 33 Ala. App. 479, 34 So. 2d 708. A municipal corporation can exercise only those powers granted

in express words, those necessarily or fairly implied in or incident to powers expressly granted, or those essential to the declared objects and purposes of the corporation. **City of Bessemer v. Huey**, 247 Ala. 12, 22 So. 2d 325; **Johnson v. City of Sheffield**, 236 Ala. 411, 183 So. 265.

While the statutes cited hereinabove do not grant to a municipality in express words the authority to pay premiums for the coverage of dependents of municipal employees under a group hospital and medical contract, I am of the opinion that such statutes are sufficiently broad to impliedly grant to a municipality the authority to expend its funds in the manner contemplated by your request.

Therefore, you are advised that the City of Birmingham may purchase group hospital and medical coverage for its employees and their dependents and pay any part or all of the premium for such coverage.

The opinions reported in Quarterly Reports of Attorney General, Volume 115, page 9, and Volume 117, page 36, are hereby overruled insofar as they conflict with the opinion expressed herein.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

October 26, 1972

Hon. Bryan McAfee
Judge of Probate
Morgan County Courthouse
Decatur, Alabama 35601

Probate Judges — Commission.

Where mortgage conveying property in one or more counties is filed for record, probate judge, where instrument is filed, is entitled to all of the commission allowed for filing same.

Opinion by Assistant Attorney General Loeb.

Dear Judge McAfee:

Reference is made to your letter of September 29, 1972, in which you request an opinion of this office involving Title 51, Section 619(g), as amended, Code of Alabama, 1940 Recompiled 1958.

Your inquiry is with reference to a mortgage conveying property located in different counties within the State. You wish to know whether the Judge of Probate in the County wherein the mortgage is first filed for record retains the five percent on the total amount

collected by him or whether he should prorate the money collected by him among the counties in which the property is located and retain only five percent of the proportionate amount.

The statute states that the Probate Judge shall receive five percent of the amount collected by him as compensation for his service in collecting said money and certifying said instrument, said five percent to be retained by him out of the money collected by him under this section.

In my opinion, this would make the five percent in the nature of a commission to be retained in its entirety by the Judge of Probate who earned the commission, that is, the Judge of Probate who collected the money and certified same on said instrument. The statute directs the Judge of Probate who collects **said taxes** to pay over the amount to the county. It specifically mentions the word taxes and then goes on to explain how the amount of said taxes should be prorated when the property is located in different counties.

It is my opinion that the amount to be distributed by the Judge of Probate is the amount of taxes collected by him after he has deducted five percent of the total amount as compensation for his service in collecting same and also after retaining the amount of taxes due his own county.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

November 8, 1972

Hon. W. Franklin Holt
Tax Assessor

Elmore County

P. O. Box 223

Wetumpka, Alabama, 36092

Hospitals — Ad valorem Tax

The property of hospitals operated purely for charitable purposes and not for financial gain are exempt from ad valorem tax.

Opinion by Assistant Attorney General Payne.

Dear Mr. Holt:

This will acknowledge your letter of October 30, 1972 relative to Community Hospital now located in Tallapoosa County, Alabama, at Tallassee. It appears that the Hospital is now planning to build a new hospital to be located in Elmore County and you request an

opinion as to the tax exempt status with respect to ad valorem taxation of the new hospital if and when it is completed. Your letter does not contain sufficient information for me to give you an opinion and therefore, it has been necessary that I obtain additional facts upon which to proceed.

BRIEF HISTORY OF COMMUNITY HOSPITAL

I have been advised by Mr. A. B. Dopson, President of THE BANK OF TALLASSEE, Tallassee, Alabama, substantially as follows:

The Hospital was first organized as a private corporation in 1927 under the provisions allowed by the 1923 Code of Alabama. That in recent years, at least from 1956, the Hospital has been operated as a charitable corporation and has been exempt from the payment of ad valorem taxes in Tallapoosa County.

Mr. Dopson by letter dated November 6, 1972 forwarded me (1) Minutes of Stockholders and Board of Directors Meetings of May 31, 1956 and (2) Amendment of Certificate of Incorporation dated May 31, 1956. So that in May of 1956 the Articles of the original Incorporation were amended. The Minutes disclose that Attorney W. C. Woodall advised that it would be best to change the Articles of Incorporation in order for the Hospital to be eligible for the exemption relating to Income Tax "and also for the Ford Foundation Grant." Under the Amendment the Hospital has been since 1956 a non-stock corporation and at no time have dividends ever been declared or paid to the old stockholders and all stocks were turned over to the corporation in 1956 without costs of any kind and the said certificates were "canceled." The corporation amended its Articles so as to fall under Article 3, Chapter 7, Title 10, Code of Alabama 1940, which provides for the formation of benevolent corporations. The Tax Assessor of Tallapoosa County, Honorable Eldon Sharpe, advises that when he took office, the Hospital was in an exempt status ad valorem taxwise and that it was his understanding that this was due to the fact that the Hospital was actually operated as a charitable corporation.

The 1956 Amendment to the Articles of Incorporation, for purposes pertinent here, is as follows:

"The objects for which this corporation is formed are exclusively, purely and strictly benevolent, charitable, for the relief of human suffering, for the benefit of mankind, and not for financial gain, and no financial gain shall ever accrue to any member of this corporation, nor any other person or institution in the conduct of same, no part of the net earnings shall inure to the benefit of any private shareholder or individual, . . ." (Emphasis supplied.)

It is my information that the Hospital since 1956 has been operating

according to the above provision of the Amended Articles of Incorporation.

Assuming that when the proposed hospital has been constructed in Elmore County, that it will be operated according to the above provision of the Articles of Incorporation then, in my opinion, it should be entitled to be exempted from ad valorem taxation as provided under Section 2 (a), as amended, Title 51, Code of Alabama 1940 Recompiled 1958. This Section as you know, exempts all property, real and personal, "used exclusively . . . for purposes purely charitable" As I see it, even though there may on occasion be charges to some patients this would not impair the charitable aspect of the hospital. The appellate courts of the State have so held. In **Francis Clark v. Mobile County Hospital Board**, 275 Ala. 26, 151 So. 2d 750, the court observed:

"The fact that the county required or received pay, from such of the patients in the hospital as were able to pay, cannot serve to destroy the charitable character or purposes of the hospital, nor convert it into a proprietary institution. It still remained a charitable hospital,"

In finality, you should bear in mind to use your own good judgment in ascertaining that the hospital when constructed is being operated in accordance with its Articles of Incorporation, especially that which I have set out above.

Premised upon the correctness of the above factual situation, it is my conclusion that Community Hospital when constructed in Elmore County will be entitled to tax exempt status. However, the effective date of exempt status depends upon the date or time that the property in question is actually being used for purposes purely charitable. As you know, the ad valorem tax year begins on October 1 of any given year and it is on that date that the taxable status would be determined for the particular year in question.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

November 10, 1972

Honorable Bert Nettles
Member, House of Representatives
P. O. Box 2232
Mobile, Alabama 36601

Sales Tax — Municipalities — Drug Stores.

Persons over 65 years of age are not liable for either sales tax or the so-called city sales tax on drugs bought on prescription.

Opinion by Assistant Attorney General Livingston.

Dear Sir:

Your request for an opinion dated November 2, 1972 is as follows:

"In view of Act No. 2128 of the 1971 Regular Session of the Alabama Legislature, can the City of Mobile legally collect a tax on prescription drugs sold to persons 65 years of age or older if styled as a privilege tax rather than a sales tax?

"Mr. J. E. Esneul, President of the Mobile County Pharmaceutical Association, has advised me that the City of Mobile is continuing to levy a 2% tax on such sales of prescription drugs on the basis that the local tax is styled a privilege tax rather than a sales tax."

I am assuming that the Mobile privilege tax for the City of Mobile is levied under the authority of Title 37, Section 735, Code of Alabama 1940, Recompiled 1958. Based on that assumption, the license or privilege tax of the City of Mobile is not a true sales tax like the state sales tax levied by Act No. 100, Second Special Session 1959, as amended. See *Evers v. City of Dadeville*, 258 Ala. 53, 61 So.2d 78 and *Al Means v. City of Montgomery*, 268 Ala. 31, 104 So.2d 816.

Act No. 2128, Acts of Alabama 1971 was repealed by Act No. 176, Third Special Session 1971, Acts of Alabama 1971, page 4435 and provides, in part, as follows:

"SECTION 1. The gross proceeds of the sale or sales of all medicines prescribed by physicians for persons who are 65 years of age or older, and when said prescriptions are filled by licensed pharmacists, shall be exempted from the computation of the amount of tax levied, assessed or payable under the provisions of the state sales tax law, Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, or under any county or municipal sales tax law; . . ."

While it is correct to say that the license or privilege tax levied by the City of Mobile is not a true "sales tax," this type of levy, which many cities in the state have, is commonly referred to as the "city sales tax" and the average person on the street sees no difference in such a city levy and that levied for the state by Act. No. 100, supra. In fact, the writer of this opinion experienced much difficulty in attempting to explain to some members of the legislature the difference between a city levy under Section 735, supra, and the state levy under Act No. 100, supra. The ultimate burden of the city tax is usually borne by the purchaser by an increase in price while the state sales tax is collected as a tax from the purchaser by the seller. The difference, some say, is only a play on words.

With that in mind and the fact that the writer of this opinion knows what the sponsors of Act No. 176 meant to do, it is my opinion that the exemption provided for in said act is applicable not only to state sales tax but also to a privilege or license tax levied by a city under the provisions of Section 735, *supra*.

The State Department of Revenue, by virtue of Act No. 203, Special Session 1965, page 272, as amended by Act No. 176, Special Session 1969, page 242, collects the privilege or license tax levied under Section 735, *supra*, for many cities. I am advised that in administering such levies for the various cities, the Department of Revenue allows the exemption provided for in Act No. 176, *supra*, from both the state sales tax and the city privilege tax.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

November 20, 1972

Honorable G. Ross Bell, Judge
Juvenile and Domestic Relations Court
Jefferson County

P. O. Box 3747 — 120 Second Court North
Birmingham, Alabama 35211

Juveniles — Juvenile Courts.

Juvenile Court records are not public records and may be inspected only in certain cases.

Opinion by Assistant Attorney General Sorrells.

Dear Sir:

I have your request for an opinion of this office concerning release of juvenile court records to certain agencies.

First, let me quote from two pertinent sections of the Code of Alabama 1940, Recompiled 1958.

Title 13, Section 353, provides in part as follows:

“The records of all such cases shall be withheld from indiscriminate public inspection but such records shall, in the discretion and under the orders of the judge, be at all reasonable times open to inspection by the child, its parents, or guardian, its attorney, or attorney for its parent or guardian, and the state department of welfare or its accredited agents.”

Title 13, Section 377, provides in part as follows:

"No disposition of the case of a child dealt with for delinquency under this chapter nor any admission or confession of such child or such parent or parents to the probation officer, or court; nor any report of a probation officer, made or given in pursuance of any rule or order of such courts; nor any statement by any parent or parents, of such child in such proceeding, shall be given or heard in any civil, criminal or other cause or proceeding whatever, or in any other court, be lawful or proper evidence against such child or parent, or parents, for any purpose; but such matters may be received and heard in subsequent proceedings in the same cause in said juvenile court." (Emphasis supplied)

First, you ask if adult courts are entitled to receive juvenile court records and information for use in pre-sentence investigations. In my opinion, they are not. Title 13, Section 377, *supra*, states that the disposition and other juvenile court records are not to be used against juvenile offenders in any other proceedings. It is my opinion that the purpose and language of this section prohibits the use of such records in pre-sentence reports.

Secondly, you ask if law enforcement agencies are entitled to such records and information for subsequent juvenile investigations. In my opinion they are not. In my judgment, juvenile legislation is founded on the policy that a delinquent child is not a criminal, but a person requiring care, education, and protection. Therefore, Title 13, Section 353, *supra*, restricts the public inspection of juvenile records with certain exceptions. It is my opinion that release of such records to law enforcement agencies is not consistent with such policy, and does not fall within any of the exceptions listed in this section.

Thirdly, you ask if it is necessary to release information to social and rehabilitation agencies concerning individuals referred to them by the court. In light of Title 13, Section 353, *supra*, the court may use its discretion in releasing juvenile records. However, under this section, the judge may, in his discretion, release such information to the state department of pensions and securities and agencies accredited by that department.

Finally, you ask if parties to a custody case in another court are entitled to use juvenile case information as evidence in that custody matter. Title 13, Section 353, *supra*, provides that a judge of a juvenile court may, in his discretion, allow the inspection of juvenile records by parents and guardians of delinquent children. It also allows inspection, in the court's discretion, by the parent or guardian's attorney.

However, Section 377, *supra*, excludes the use of such records as evidence in any other proceeding.

Sincerely,

WILLIAM J. BAXLEY
Attorney General

November 20, 1972

Hon. Jim Robinson
Mayor

City of Montgomery
Montgomery, Alabama

Indigents — Counsel — Municipal Courts.

Counsel's compensation appointed in municipal court to defend indigent may not be paid from proceeds of the Fair Trial tax.

Opinion by Assistant Attorney General Sykes.

Dear Mayor Robinson:

I have your inquiry of June 30, 1972.

Enclosed is a copy of our recent opinion holding that absent a waiver, counsel must be appointed for indigents by the trial court including municipal courts when imprisonment is a real possibility.

There being an express statutory exception to the power of municipal trial courts to appoint counsel in municipal courts, we held that this power of appointment was based upon the requirement of counsel, absent a valid waiver, for indigents, as set out in **Argersinger v. Hamlin**, U. S., June 13, 1972, 40 L. W. 4679; Section 1, Act No. 2420, Acts 1971, approved October 1, 1971.

This opinion of the Attorney General also states that the municipality could pay such counsel from its general funds. Counsel appointed by other courts are paid from the proceeds of the fair trial tax. Section 11 of Act No. 2420.

It is true that the municipal court is required to collect the fair trial tax in cases involving a violation of State law, but not in cases charging a violation of city ordinances. Act No. 2421, Acts 1971, approved October 1, 1971. But because the municipal court must charge and collect the fair trial tax in some (State) cases, it does not follow that counsel appointed by such courts are entitled to share in its proceeds. The tax is for revenue and is subject to appropriation by the Legislature. Opinion of the Attorney General, dated June 13, 1972 to Hon. Ray D. Bass, State Highway Director.

In my opinion, the fair trial tax has not been appropriated for counsel who may be appointed in cases in the municipal courts. Section 2 of Act No. 2421, *supra*, appropriating the proceeds of the fair trial tax, provides for payment when there is "any other law providing for furnishing counsel to indigent defendants." In my opinion this phrase refers to laws enacted by the Alabama Legislature. The Legislature has not directed by any other law that counsel in municipal courts be paid. In fact, the Legislature did not require appointment in such courts. Act No. 2420, *supra*.

Obviously the payment of counsel from municipal funds in indigent cases will place a heavy burden on the City treasury, and it is suggested that legislation should be considered to allow this expense to be paid from the same source as other cases, and also to require the fair trial tax to be charged and collected in all municipal cases. I strongly suggest that the cities work with the League of Municipalities to this end.

Very truly yours,

WILLIAM J. BAXLEY
Attorney General

December 12, 1972

Honorable Henry B. Gray, III
Administrator

Alabama Alcoholic Beverage Control Board
State Administrative Building
Montgomery, Alabama

Alabama Alcoholic Beverage Control Board—Licenses—Elections. Title 29, Section 36, Code of Alabama 1940

Subsection 3 of Title 29, Section 36, does not prohibit the delivery of alcoholic beverages by wholesalers on election day.

Opinion by Assistant Attorney General McQueen.

Dear Mr. Gray:

Your request for an official opinion bearing date of November 27, 1972, is as follows:

"Does Paragraph 3, Section 36, Title 29, Code of Alabama, prevent wholesalers from delivering to retail outlets on election day."

My answer to your inquiry is in the negative.

Subsection 3 of Title 29, Section 36, Code of Alabama 1940, reads as follows:

“§ 36. Unlawful acts.—It shall be unlawful:

“(3) For any licensee to sell, furnish or give any liquor, vinous or malt and brewed beverages to any person until after the time fixed by law for the closing of polling places on days on which a general, municipal, special or primary election is being held.”

In my opinion, the provisions of this subsection only prohibit the selling, furnishing, or giving any liquor, vinous or malt and brewed beverages, to any person for personal consumption on election day. It is to be noted in the prohibition against selling or giving away liquors is lifted with the closing of polling places on election day. In other words, it only seeks to prohibit the personal consumption of alcoholic beverages during the hours which the polls are opened at the various voting places. It does not seek to prohibit a person engaged in the business of delivering in bulk alcoholic beverages on election day.

You are, therefore, advised that this section does not, in my opinion, prevent a wholesaler from delivering to retail outlets on election day.

Yours very truly,

WILLIAM J. BAXLEY
Attorney General

December 21, 1972

Honorable Tommy Carter

Member

House of Representatives

District No. 2

Route 2

Elkmont, Alabama

Political Contributions — Corporations.

1. There is no limitation on amounts an individual may contribute to a candidate for public office.
2. A corporation may not make any contribution to further an individual's candidacy for public office.

Opinion by Assistant Attorney General McQueen.

Dear Mr. Carter:

Your letter of recent date in which you ask if there is any law or regulation as to the amount of contribution that individuals, groups of individuals, or corporations, may contribute to candidates for the State Legislature, Governor or any other State wide office, has been received.

In reply thereto, you are advised as follows:

I know of no law or any type of regulation that regulates the amount of contributions that individuals or groups of individuals may contribute to the candidates set forth in your letter. There is, of course, contained in the Corrupt Practice Act the amount of campaign funds the various candidates for public office may spend in seeking election. I would assume that it would be very unlikely for any individual or groups of individuals to contribute to the candidates in excess of the amount allowed candidates to expend in their campaigns. Other than this I know of no limitation in this regard.

Corporations are in an entirely different category insofar as contributions to political campaigns are concerned.

Title 10, Section 21(4), Code of Alabama 1940, makes it unlawful for any corporation or any agent or employee or officers thereof to give or donate either directly or indirectly any monies or funds or properties of said corporation to any candidate for public office. This section provides that should a corporation violate the provisions thereof shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$100.00 nor more than \$2,000.00 at the discretion of the jury trying the case.

Yours very truly,

WILLIAM J. BAXLEY
Attorney General

December 21, 1972

Honorable James C. Wood
Assistant County Attorney
Mobile County
Mobile, Alabama

Counties — County Attorneys — Expenses.

County may pay expenses of county attorney attending convention of association of counties.

Opinion by Assistant Attorney General McQueen.

Dear Mr. Wood:

I have your letter of recent date in which you state that you attended as Assistant County Attorney a convention of the National Association of Counties in Washington, D. C. You state in your request that two of the county commissioners and the county administrator also attended this convention and that you participated in separate meetings with county attorneys from throughout the country.

You request an opinion as to whether or not the county can legally pay for your transportation, meals, and lodging upon attendance at this convention.

My answer to your inquiry is in the affirmative.

This office has on numerous occasions held that the county may legally expend funds for the payment of expenses of members of the county governing body for attending conventions which would aid them in the performance of their duties, thereby benefitting the county by knowledge obtained at these conventions.

This office has also held that a county may pay the expenses of a juvenile court judge for attending schools, meetings, seminars, etc. which would be beneficial for him in operating his court.

You as Assistant County Attorney attended meetings and other gatherings where information in regard to the legal work to be performed by attorneys for counties were discussed and other information in regard to employment as county attorney was discussed generally.

You no doubt obtained very valuable information which would benefit the county in assisting you in properly representing it as county attorney.

Following the reasoning of the opinions hereinabove referred to, you are advised that, in my opinion, the county may legally pay the expenses referred to in your request.

Yours very truly,

WILLIAM J. BAXLEY
Attorney General

I N D E X

QUARTERLY REPORT OF THE ATTORNEY GENERAL FOR THE
PERIOD FROM OCTOBER 1, 1972 THROUGH DECEMBER 31, 1972

— A —

ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD:

Law does not prohibit delivery of alcoholic beverages by wholesaler on election day	20
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— C —

CODE OF ALABAMA 1940, RECOMPILED 1958:

Title 29:	
Section 36	20
Title 51:	
Section 704	7

COUNTIES:

County may pay expenses of attorney attending convention of association of counties	22
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CONSTABLES:

Constitutional amendment abolishing Justices of the Peace does not abolish Constables	7
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CORPORATIONS:

No limit on amount individuals may contribute to candidate, but corporation may not make any contribution	21
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— E —

ELECTIONS:

Law does not prohibit delivery of alcoholic beverages by wholesaler on election day	20
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— F —

FAIR TRIAL TAX:

Lawyer's compensation appointed in city court to defend indigent not payable from Fair Trial Tax	19
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— H —

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Property of hospitals operated purely for charitable purposes exempt from ad valorem tax	13
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— I —

INDIGENTS:

Lawyer's compensation appointed in city court to defend indigent not payable from Fair Trial Tax	19
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INSURANCE:

Municipality may purchase and pay for medical insurance coverage on employees and their dependents	10
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— J —

JUDGE OF PROBATE:

Where mortgage conveying property in one or more counties is filed for record, judge of probate, where instrument is filed, entitled to commission	12
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JUSTICES OF THE PEACE:

Constitutional amendment abolishing Justices of the Peace does not abolish Constables	7
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JUVENILES:

Juvenile Court records are not public records	17
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JUVENILE COURT:

Juvenile Court records are not public records	17
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— M —

MOTOR VEHICLES:

Method of assessment for ad valorem tax of new and used automobiles brought into this state from another state	7
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MUNICIPAL COURT:

Lawyer's compensation appointed in city court to defend indigent not payable from Fair Trial Tax	19
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MUNICIPALITIES:

Municipality may purchase and pay for medical insurance coverage on employees and their dependents	10
Persons over 65 not liable for sales tax or so-called city sales tax on purchase of drugs	15

— P —

POLITICAL CONTRIBUTIONS:

No limit on amount individual may contribute to candidate, but corporation may not make any contribution	21
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— S —

SALES TAX:

Persons over 65 not liable for sales tax or so-called city sales tax on purchase of drugs	15
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I N F O R M A L O P I N I O N S

During the period covered by this Quarterly Report of the Attorney General October 1, 1972 through December 31, 1972, the Attorney General rendered the following informal opinions. These informal opinions are not published in the Quarterly Report.

Subject	Addressee	Date	File No.
—A—			
ACTS			
Act No. 57, 1971 Session	Dr. George W. Newburn, Jr.	Dec. 19	121
ABC ACT			
Wet Counties	Charles W. Penhole	Nov. 14	53
ABC BOARD			
Sales Tax—Licenses	Charles A. Boswell	Nov. 15	Revenue
Television—Advertisement	Bert Banks	Nov. 22	70
Wine Making Sets	Henry B. Gray	Nov. 6	ABC Bd.
ALABAMA COMMISSION OF HIGHER EDUCATION			
Fringe Benefits	Dr. Clanton W. Williams	Oct. 3	Higher Ed.
Whitley Hotel—Troy State	J. J. Pierce	Oct. 12	24
ALABAMA DEVELOPMENT OFFICE			
Companies located in Georgia	Kent T. Anderson	Nov. 22	Alabama Dev. Off.

Subject	Addressee	Date	File No.
ALABAMA EDUCATION STUDY COMMISSION			
Confidential Assistant	Otto E. Simon	Oct. 11	4
Per Diem & Mileage	Otto E. Simon	Nov. 10	4
ALABAMA HEALTH STUDY COMMISSION			
State Agency	David L. Cusic	Oct. 17	18
ALABAMA HISTORICAL COMMISSION			
County—Restoration Work	W. Warner Floyd	Oct. 3	Hist. Comm.
Historical Site	W. Warner Floyd	Dec. 19	Hist. Comm.
Street Improvement	W. Warner Floyd	Dec. 18	Hist. Comm.
ALABAMA REGIONAL COUNCIL OF GOVERNMENTS			
Regional Planning & Development	Harold E. Henn	Oct. 4	Alabama Dev. Off.
ABSENTEE VOTERS			
Voting Rights Act 1970	William Jackson	Oct. 5	10
AUCTIONEERS			
Motor Vehicles Auctioneer License	W. L. Woodham	Oct. 2	17
—B—			
BALDWIN COUNTY			
Barbers Act	George P. Thames	Oct. 25	32

Subject	Addressee	Date	File No.
BILLIARD ROOMS			
Churches	David M. Enslin	Dec. 19	40
Private Club	Ben Stokes	Nov. 2	51
School or Church	Sidney Thrash	Dec. 11	153
BOARD FOR WASTE AND WASTE WATER OPERATORS			
Counties—Population of 600,000	J. F. Judkins, Jr.	Nov. 3	58
—C—			
CANDIDATES			
Contributions	Tommy Carter	Dec. 21	99
CITY OF ALBERTVILLE			
Municipal Utilities Board	Buford L. Cryar	Nov. 9	57
CITY OF MONTGOMERY			
Judge of City Court	Cliff Evans	Oct. 6	8
CITY PRIVILEGE TAX			
Drugs & Medicine	Bert Nettles	Nov. 10	73
CONSTABLES			
County Court	T. O. Rollings	Nov. 27	74
Justices of the Peace—Abolishment	John R. Phillips	Oct. 12	46
CIVIL DEFENSE			
Fall out Shelters	C. J. Sullivan	Nov. 2	Civil Defense

Subject	Addressee	Date	File No.
COMMERCIAL LAW			
Promissory Note—Atty. Fee	B. A. Forrester	Dec. 29	113
CORPORATIONS			
Loans	Paul R. Brunson	Nov. 20	87
Political Contributions	Tommy Carter	Dec. 21	99
CORRECTIONS AND INSTITUTIONS, DEPT			
Land—Junior College	James R. Solomon, Jr.	Nov. 16	Finance
COUNTY BOARD OF EDUCATION			
Housing Authority—Member	Dr. Sam W. Jones	Nov. 27	82
Insurance Premium	Wm. W. Stoudemire	Nov. 3	50
Liability—Purchases	John R. Hargis	Oct. 20	28
President—Authority	George Nancarrow	Oct. 17	12
Teacher—Maternity Leave	Dr. Paul Hubbert	Dec. 7	Teacher Tenure Comm.
Vacancy	Woodie S. Napper	Oct. 25	5
COUNTIES			
Contracts	Kent T. Anderson	Nov. 22	Ala. Dev. Office
District Attorney—LEPA Grant	Roger A. Prestwood	Dec. 12	Dist. Atty.
District Attorney—Telephone	William J. Benton	Dec. 12	Dist. Atty.
Employee—Termination	Clarence H. Bishop	Dec. 21	63
Flag	Col. Robert N. Mann	Nov. 8	72
Historical Commission	W. Warner Floyd	Oct. 3	Hist. Comm.
Hospital Board—Member	Harold D. King	Oct. 4	20
Parking Lot	William A. Duncan	Nov. 3	52
School Stadium	James C. Wood	Nov. 2	47
Sheriffs—Expenses	Harry Sizemore	Oct. 1	90

Subject	Addressee	Date	File No.
COUNTY WATER TREATMENT SYSTEM Establishment	James Warr	Nov. 20	Water Imp. Comm.
CRIMINAL LAW Wine Making Sets	Henry B. Gray	Nov. 6	ABC Bd.
—D—			
DeKALB COUNTY Sheriff	John M. Baker	Oct. 23	14
DEPARTMENT OF CONSERVATION Land—Proceeds	Claude D. Kelley	Dec. 14	Conservation
Parks—\$43,000,000 Bond Issue	Claude D. Kelley	Dec. 22	Conservation
Troy Williams v. Claude D. Kelley	Claude D. Kelley	Dec. 4	Conservation
DEPARTMENT OF EDUCATION Junior College—Vice President	Dr. Leroy Brown	Nov. 22	Education
DISTRICT ATTORNEYS Fees—Non-Support Cases	Fred B. Simpson	Nov. 14	Dist. Atty.
Funds—Out-of-State Witnesses	Wayne H. Smith	Nov. 15	Dist. Atty.
Law Partner	Charles R. Butler, Jr.	Oct. 12	Dist. Atty.
LEPA Grant	Roger A. Prestwood	Dec. 12	Dist. Atty.
Telephone	William J. Benton	Dec. 12	Dist. Atty.
—E—			
ELECTIONS Candidate—Kinship	William A. Jackson	Oct. 20	10

Subject	Addressee	Date	File No.
FALL OUT SHELTERS	—F—		
Ad Valorem Tax	C. J. Sullivan	Nov. 2	Civil Defense
FAYETTE COUNTY			
Mini-Code	James A. Branyon, II	Oct. 16	61
	—G—		
GENERAL CONTRACTORS			
Cleaning, Grubbing & Filling	James H. Lackey	Dec. 15	84
GUARDIAN			
Fund—Tit. 21, Sec. 27, Code	Wiley Hickman	Dec. 21	96
	—H—		
HIGHWAYS			
Pecans	Daniel L. Kinsey	Dec. 21	102
HOSPITALS			
Charitable	W. Franklin Holt	Nov. 8	56
Director—Postmaster	Morgan Reynolds	Dec. 1	83
HOSPITAL BOARDS			
Member—County—Municipality	Harold D. King	Oct. 4	20
School of Nursing	Ira D. Pruett	Nov. 16	89

Subject	Addressee	Date	File No.
	—I—		
INCOME TAX			
Teacher—Additional College Work	Dr. Paul R. Hubbert	Aug. 9	Teacher Ret.
INDUSTRIAL DEVELOPMENT BOARD			
Municipality—Funds	J. W. Calhoun	Nov. 21	93
ILLITERATES			
Voters	W. W. Weatherford	Nov. 2	36
INSTITUTION OF HIGHER LEARNING			
Agreements—Consortium—Property	Dr. Lillian C. Manley	Dec. 4	Higher Edu.
INSURANCE, DEPARTMENT OF			
Municipality—Group & Medical Insurance	E. T. Brown	Nov. 14	54
	—J—		
JUDGE OF PROBATE			
Guardian Fund—Tit. 21, Sec. 27, Code	Wiley Hickman	Dec. 21	96
JUNIOR COLLEGES			
Vice President—Legislature	Dr. Leroy Brown	Nov. 22	Education
JUSTICE OF THE PEACE			
Abolishment	John R. Phillips	Oct. 12	46
JUVENILES			
Trial—Ages 16 & 18	Fred B. Simpson	Oct. 30	Dist. Atty
JUVENILE COURT			
Records—Not Public Records	G. Ross Bell	Nov. 20	92

Subject	Addressee	Date	File No.
	—L—		
LABOR UNIONS			
Solomon Act—Unconstitutional	Edward D. Robertson	Oct. 17	41
LAW ENFORCEMENT OFFICERS			
Act 1942—1971 Legislature	Charles C. Wimberly	Dec. 12	65
Auxiliary Deputy Sheriffs	Robert H. Harris	Nov. 6	66
LEGISLATURE			
Member—City School System	Richard L. McBride	Oct. 18	38
LOAN COMPANIES			
Corporation—Formation	Paul R. Brunson	Nov. 20	87
	—M—		
MARSHALL COUNTY			
Branch Banks—Status	Robert I. Gullledge	Dec. 4	Banking
MIDWIVES			
Physician's Assistant	Dr. Henry W. Foster	Oct. 10	116
MINI—CODE			
Local Act—Repeal	James A. Branyon	Oct. 16	61
MOBILE HOMES			
What is and What is Not	Fred R. Jones	Dec. 14	97
MOBILE COUNTY			
Annual or Sick Leave—Transfer	Mylan R. Engle	Nov. 2	95

Subject	Addressee	Date	File No.
MONTGOMERY COUNTY			
Probate Judge—Assistant Chief Clerk	Perry O. Hooper	Nov. 14	55
MORTGAGE FILING TAX			
Mortgage Tax Fee—Distribution	Bryan McAfee	Oct. 26	31
MOTOR VEHICLES			
Auctioneer License	W. L. Woodham	Oct. 2	17
Tax Liability—Used Cars	James E. Witherington	Dec. 19	98
MUNICIPAL HOUSING AUTHORITY			
Member—County Board of Education	Dr. Sam W. Jones	Nov. 27	82
MUNICIPALITIES			
Athletic Groups—Funds	Willie B. Sheffield	Nov. 1	49
Automobile Insurance—License—Loans	Russell Bolding	Oct. 31	35
City Clerk & Chief of Police—Salary	John R. Phillips	Nov. 9	46
City Council—Appointments	John R. Phillips	Nov. 8	46
City Council—Persons Elected	Roy Coffey	Oct. 30	37
City Council—Member—License Inspector	Daniel L. Kinsey	Dec. 8	102
City Court—Judge—Discharge	Cliff Evans	Oct. 6	8
City—Liability—Promotional Activity	Joe Gambrell	Nov. 27	75
Cities—Merger	L. T. Caldwell	Dec. 19	101
City Recorder—Two Cities	C. O. Buckhalter	Oct. 26	3
Company—Franchise with City	James Wright	Nov. 14	13
Council—Committees	Reid Kent	Dec. 11	59
Council—Retroactive Pay—Employees	B. R. Winstead	Dec. 6	81
Council—Vacancy	Elwood Rutledge	Nov. 15	91
County—Administrative Personnel	A. J. Cooper	Oct. 13	88

Subject	Addressee	Date	File No.
Deferred Compensation Plan—Life Insurance	George W. Roy	Dec. 19	107
Engineer—Professional	Miss Sarah Hines	Oct. 16	Bd. of Engrs.
Group Hospital Insurance—Employees	Will L. Nelson	Dec. 1	76
Group & Medical Insurance—Employees	E. T. Brown, Jr.	Nov. 14	54
Hospital Board—Member	Harold D. King	Oct. 4	20
Hospital Insurance—Employees	Les Gilliland	Nov. 27	79
Indigents—Attorney	Jim Robinson	Nov. 20	78
Industrial Development Board—Contributions	J. W. Calhoun	Nov. 21	93
Mayor's Absence—Who Acts	A. J. Cooper, Jr.	Dec. 4	88
Mayor—Councilman—Salary	H. Dawson Lyle	Oct. 6	42
Mayor—Law Partner	George M. Barnett	Nov. 3	60
Ordinance—Expense Allowance—Mayor	Irvin C. Porter	Dec. 29	114
Public Buildings—Funds	Joe W. Adams	Nov. 22	86
Public Officer—Impeachment	R. S. Limbaugh	Nov. 2	48
Public Streets—Abandoning	James D. Straiton	Oct. 26	2
Recorder—City Attorney	Bobby Claunch	Nov. 21	80
Recreational Board—Director and Member	Melba Till Allen	Oct. 20	Auditor
Signal Lights—Gasoline Tax	Kenneth Chastain	Oct. 24	29
Street, Garbage and Water Dept.—Wage Increase	Ted Northington	Dec. 15	120
Tape Recorder	Wayne W. Johnson	Dec. 29	115
Utility Board—Method of Appointing Member	Donald W. Lang	Nov. 3	44
Utility Board—No increase in membership	B. Hubert Matthews	Oct. 5	71

Subject	Addressee	Date	File No.
Utility Board—Term of Office	Joe Fine	Nov. 29	85
Water and Sewer Commissioners	H. Ray Roberts	Oct. 26	1
—P—			
PARDON AND PAROLE BOARD			
Youthful Offender Act	L. B. Stephens	Dec. 6	Pardon & Parole Bd.
PHARMACY, STATE BOARD OF			
Foot Doctors—Drugs	E. B. Turner	Dec. 15	Bd. of Pharmacy
PERSONNEL BOARD			
Annual and Sick Leave—Transfer	Mylan R. Engle	Nov. 2	95
PISTOL PERMIT			
Sheriff—Expenses—Conference	James C. Morgan	Oct. 10	7
POLICE OFFICERS			
Auxiliary Deputy Sheriffs	Robert H. Harris	Nov. 6	66
POLL WATCHERS			
Method of Appointing	Roland Cooper	Nov. 2	27
POSTMASTER			
Director of Hospital	Morgan Reynolds	Dec. 1	83
PROBATE JUDGES			
Fiduciary Fund—Mental Institution	E. Troy Allen	Oct. 16	30
State Retirement System—Supernumerary	Winston Stewart	Oct. 6	22
Mortgage Tax Fee	Bryan McAfee	Oct. 26	31

Subject	Addressee	Date	File No.
PUBLIC OFFICERS			
Public Funds—Theft	James L. Albert	Oct. 11	21
PUBLIC RECORDS			
Youthful Offender	J. Dawson Britton	Nov. 21	Dist. Atty.
PUBLIC HEALTH			
Nurse—Midwife—Physician's Asst.	Henry W. Foster, M.D.	Oct. 10	116
PRISON AND PRISONERS			
Absentee Ballots	W. C. Zanaty	Oct. 27	34
	—R—		
RECORDER'S COURT			
Clerk—Criminal, Search, Arrest Warrants	James E. Davis	Oct. 10	15
Cost Fees—Act No. 1692, 1971 Legislature	Allen E. Cook	Dec. 11	77
Persons under 16 years of Age	James H. Evans	Dec. 18	64
RECREATION BOARDS			
Director and Member—Expenses	Melba Till Allen	Oct. 20	Auditor
	—S—		
SALES TAX			
Drugs or Medicine—Person 65	Bert Nettles	Nov. 10	73
Method—Computing	Charles A. Boswell	Nov. 15	Revenue
SEVENTEENTH JUDICIAL CIRCUIT			
Solicitor's Fund	Thomas H. Boggs	Oct. 24	Dist. Atty.

Subject	Addressee	Date	File No.
SCHOOLS			
Consortium—Higher Education	Dr. Lillian C. Manley	Dec. 4	Higher Educ.
SHERIFFS			
Expenses—Conference	James C. Morgan	Oct. 10	7
Mileage and Expenses	Harry Sizemore	Sept. 28	90
STATE			
Property—Owned on October 1	Mrs. Louise S. Champion	Nov. 7	94
STATE BOARD OF OPTOMETRY			
Acts of Legislature	Dr. E. E. Ashbee	Oct. 27	Bd. of Optometry
STATE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS			
Employed by City	Miss Sarah Hines	Oct. 6	Bd. of Engrs.
STATE LICENSING BOARD OF GENERAL CONTRACTORS			
License—Work Performed	Murray W. Beasley	Oct. 2	Bd. of Gen. Contrs.
SUMTER COUNTY			
Tax Assessor's Office—Chief Clerk	Nathan G. Watkins	Dec. 29	125
SUPERNUMERARY CIRCUIT JUDGE			
Compensation	H. W. Suddath	Oct. 12	16
—T—			
TAXATION			
Hospitals—Charitable	W. Franklin Holt	Nov. 8	56
Property Owned on October 1	Mrs. Louise S. Champion	Nov. 7	94

Subject	Addressee	Date	File No.
TAX ASSESSORS			
Duties—Property Reappraisal	Robert L. Cox	Nov. 3	45
Hospitals—Charitable	W. Franklin Holt	Nov. 8	56
Tax Liability—Used Cars	James E. Witherington	Dec. 19	98
TEACHERS			
Additional College Work	Dr. Paul R. Hubbert	Aug. 9	Teacher Retirement
Sick Leave—Maternity Leave	Dr. Paul R. Hubbert	Dec. 7	Teacher Tenure Comm.
TROY UNIVERSITY			
Whitley Hotel	J. J. Pierce	Oct. 12	24
	—U—		
UNIVERSITY OF ALABAMA			
Maintenance Employees—State Employees	Edward D. Robertson	Oct. 17	39
	—V—		
VOTERS			
Illiterate	W. W. Weatherford	Nov. 2	36
	—W—		
WATER IMPROVEMENT COMMISSION			
Cahaba & Warrior River Basins	James W. Warr	Nov. 9	Water Comm.
WATER WORKS & GAS BOARD			
Funds—Public Schools	W. Isom Compton	Oct. 4	19

Subject	Addressee	Date	File No.
WATER WORKS & SEWER BOARD Councilman—Director	Shafter W. Summers	Dec. 14	67
—Y—			
YOUTHFUL OFFENDER ACT Records	J. Dawson Britton	Nov. 21	Dist. Atty.